

REMARKS

During a review of this application file while preparing a response to an outstanding Office Action in a related co-pending application (Serial No. 09/805,590), and pursuant to discussions with representatives of the current assignee of record (Color Kinetics, Inc.), the undersigned noted that the priority claim references listed in the "Cross Reference to Related Applications" section of the application as filed were incomplete. In particular, a number of non-provisional and provisional applications to which the listed references similarly are entitled a benefit were omitted inadvertently from the listed references. Accordingly, in this Preliminary Amendment, these inadvertently omitted references now are included in the priority claim.

Together with this Preliminary Amendment, Applicants also have filed with the Office of Petitions a Petition Under 37 CFR 1.78(a)(3) for Acceptance of an Unintentionally Delayed Claim for Priority Under 35 U.S.C. §120, the required surcharge, and a statement that the entire delay between the date the claim was due and the date the claim was filed was unintentional.

Favorable consideration is requested.

Respectfully submitted
Kevin Dowling, et al., Applicants

By: 

Joseph Teja, Jr., Reg. No. 45,157
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2211
Tel. No.: (617) 720-3500
Attorneys for Applicant

Docket No. C01104/70015
Date: October 7, 2002

Version With Markings to Show Changes Made

IN THE SPECIFICATION

The paragraphs beginning on line 3 of page 1 have been amended as follows:

This application claims the benefit [of, and incorporates by reference], under 35 U.S.C. §119(e), of the entire disclosure of the following [pending] United States provisional patent applications (each of which is incorporated herein by reference):

U.S. Provisional Patent App. No. 60/199,333, filed April 24, 2000; and

U.S. Provisional Patent App. No. 60/211,417, filed June 14, 2000.

This application [is] also claims the benefit, under 35 U.S.C. §120, as a continuation-in-part of, claims priority to, and incorporates by reference the entire disclosure of] the following [pending] United States patent applications (each of which is incorporated herein by reference):

U.S. Patent App. No. 09/215,624, filed Dec. 17, 1998;

U.S. Patent App. No. 09/213,607, filed Dec. 17, 1998;

U.S. Patent App. No. 09/213,189, filed Dec. 17, 1998, now U.S. Patent No. 6,459,919, issued October 1, 2002;

U.S. Patent App. No. 09/213,581, filed Dec. 17, 1998;

U.S. Patent App. No. 09/213,540, filed Dec. 17, 1998;

U.S. Patent App. No. 09/333,739, filed Jun. 15, 1999;

U.S. Patent App. No. 09/344,699, filed Jun. 25, 1999;

U.S. Patent App. No. 09/626,905, filed Jul. 27, 2000, now U.S. Patent No. 6,340,868;

U.S. Patent App. No. 09/669,121, filed Sept. 25, 2000; and

U.S. Patent App. No. 09/742,017, filed December 20, 2000.

This application also claims the benefit, under 35 U.S.C. §120, as a continuation-in-part of the following United States patent applications:

U.S. Patent App. No. 09/213,537, filed Dec. 17, 1998, now U.S. Patent No. 6,292,901, issued September 18, 2001; and

U.S. Patent App. No. 09/213,659, filed Dec. 17, 1998, now U.S. Patent No. 6,211,626, issued April 3, 2001.

This application also claims the benefit under 35 U.S.C. §120 of each of the following U.S. Non-provisional Applications, as at least one of the above-identified U.S. Non-provisional Applications similarly is entitled to the benefit of at least one of the following Non-provisional Applications:

U.S. Patent App. No. 08/920,156, filed August 26, 1997, now U.S. Patent No. 6,016,038, issued January 18, 2000;

U.S. Patent App. No. 09/425,770, filed October 22, 1999, now U.S. Patent No. 6,150,774, issued November 21, 2000; and

U.S. Patent App. No. 09/213,548, filed Dec. 17, 1998, now U.S. Patent No. 6,166,496, issued December 26, 2000.

This application also claims the benefit under 35 U.S.C. §120 of each of the following U.S. Provisional Applications, as at least one of the above-identified U.S. Non-provisional Applications similarly is entitled to the benefit of at least one of the following Provisional Applications:

Serial No. 60/071,281, filed December 17, 1997, entitled "Digitally Controlled Light Emitting Diodes Systems and Methods";

Serial No. 60/068,792, filed December 24, 1997, entitled "Multi-Color Intelligent Lighting";

Serial No. 60/078,861, filed March 20, 1998, entitled "Digital Lighting Systems";

Serial No. 60/079,285, filed March 25, 1998, entitled "System and Method for Controlled Illumination"; and

Serial No. 60/090,920, filed June 26, 1998, entitled "Methods for Software Driven Generation of Multiple Simultaneous High Speed Pulse Width Modulated Signals".